

7

Applicant: Tseng et al.
Application No: 10/807,700
Docket No: 760-107 CPA/CON II
Page 7

REMARKS

Claims 3, 4 and 11-16 remain in this application. Claims 3 and 4 have been amended. In particular, claims 3 and 4 have been amended into independent form. Independent claims 3 and 4 include all of the recitations of original claim 2 from which they depended. Claims 2, 5-10 and 17 have been canceled. Applicants reserve the right to prosecute these claims in a continuation application. Applicants respectfully request reconsideration in view of the above amendments and the following remarks.

Applicants' Response to Objections to the Specification

The Examiner has objected to the disclosure because the cross-reference to related applications section needs to be updated to include the issued patent number of U.S. Application No. 10/067,584. The cross-reference to related applications section has been amended accordingly.

Applicants' Response to 35 U.S.C. §102 Rejection over Shannon

Claims 2, 5-10 and 17 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 5,928,279 to Shannon et al. (hereinafter "Shannon"). Applicants have cancelled claims 2, 5-10 and 17 herein, and thus, respectfully submit that the Section 102 rejection has been obviated.

Applicants' Response to Double Patenting Rejection

The Examiner has rejected claim 17 under the doctrine of obviousness-type double patenting as being unpatentable over claims 12-16 of U.S. Patent No. 6,364,903. The Examiner has rejected claims 2-3, 5-10 and 15-17 under the doctrine of obviousness-type double patenting as being unpatentable over claims 1-14 of U.S. Patent No. 6,733,524.

Applicant: Tseng et al.
Application No: 10/807,700
Docket No: 760-107 CPA/CON II
Page 8

Enclosed herewith is a terminal disclaimer filed in compliance with 37 CFR 1.321(c) disclaiming the terminal portion of any patent issuing on the present application which would extend beyond the expiration of U.S. Patent Nos. 6,364,903 and 6,733,524. Please charge the \$130.00 filing fee for the terminal disclaimer to Deposit Account No. 08-2461. This terminal disclaimer is believed to obviate the obviousness-type double patenting rejections.

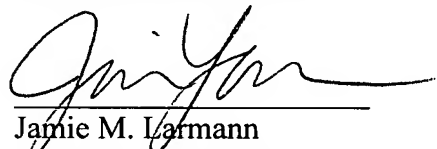
Applicants acknowledge the Examiner's indication that claims 11-14 are allowable. As claims 3 and 15-16 are only rejected under obviousness-type double patenting, and a terminal disclaimer is submitted herewith, it is respectfully submitted that claims 3 and 15-16 also are allowable. In addition, it is respectfully submitted that claim 4 is allowable as there was no detailed rejection of the claim in the Office Action. Claims 3 and 4 have been amended into independent form, including all of the recitations of original claim 2 from which they depended.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R. § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Applicant: Tseng et al.
Application No: 10/807,700
Docket No: 760-107 CPA/CON II
Page 9

Applicants respectfully submit that the application is in condition for allowance and favorable action is therefore solicited. Should the Examiner have any questions, the undersigned attorney will be pleased to address them by telephone.

Respectfully submitted,



Jamie M. Larmann
Registration No.: 48,623
Attorney for Applicant(s)

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(973) 331-1700